

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
NOVEMBER 5, 2008 AT 4:00 P.M.
MEETING HALL, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), Bryan Haza, Steve Ruble, Dennis Crider, Dick Gaynor, John Hatter, Roger Lang, Ann DeVore, and Tom Finke (County Plan Commission Liaison).

Members Absent: Dave Bonnell, Tom Wetherald, and Rachel Quisenberry.

Staff Present: Jeff Bergman, Heather Pope, Sondra Bohn, Emilie Pannell, Rae-Leigh Stark, Laura Thayer, Thom Weintraut, and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the October 1, 2008 meeting.

Motion: Mr. Haza made a motion to approve the October 2008 minutes with three corrections, two on page two and one on page four. Mr. Crider seconded the motion and it carried unanimously by voice vote.

Ms. DeVore left the meeting at this time due to a conflict of interest.

MP-08-10: 4th Replat in McCullough's Run Major Subdivision – A request by ABCJ Properties, LLC to create 1 new lot for a total of 2 lots equaling 3.47 acres. The property is located on the west side of Talley Road, ±100 feet south of 25th Street in the City of Columbus. Plan Commission approval is required to allow 3 lots accessing an easement (which exceeds the Subdivision Control Ordinance maximum of 2 lots).

Mr. Bergman presented the staff comments on this request.

Motion: Mr. Haza made a motion to approve this request allowing three lots to have access off one easement. Mr. Hatter seconded the motion and it carried unanimously by voice vote.

Ms. DeVore returned to the meeting.

MP-08-11: 3rd Replat of Johnson Oil Minor Subdivision – A request by Johnson Oil Company to create 2 new lots for a total of 3 lots equaling 26.89 acres. The property is located on east side of State Road 11, ± 2,900 feet south of County Road 200 South in the City of Columbus. Plan Commission approval is required for a modification from the Subdivision Control Ordinance sidewalk requirement.

Mr. Fisher announced that this request was automatically continued at the applicant's request.

MP-08-09: Meek/Bryant/Meek Minor Subdivision – A request by Jimmy Bryant to create 2 new lots for a total of 3 lots equaling 30.73 acres. The property is located on the west side of County

Road 300 West, ± 540 feet south of State Road 58 in Wayne Township.

Mr. Fisher announced that this request was automatically continued at the applicant's request.

PUDF-08-03: Wendy's – a request by Wendy to construct a 3,095 square foot restaurant, with associated parking, landscaping, lighting, and other infrastructure. The property is located on a lot of 1.30 acres in the Columbus Crossing Planned Unit Development, on the southwest corner of Morgan Willow Trace and Jonathon Moore Pike in the City of Columbus.

Mr. Fisher announced that this request was automatically continued at the applicant's request.

ANX-08-06: William Marr Farms – a request by William Marr Farms to annex to the City of Columbus a property of approximately 191.36 acres. The property is zoned AP (Agriculture Preferred) and is located on the northeast corner of Taylor Road and U.S. 31 in Columbus Township.

RZ-08-15: William Marr Farms – a request by William Marr Farms to rezone a property of approximately 36.73 acres from AP (Agriculture Preferred) to CR (Regional Commercial). The property is located on the northeast corner of Taylor Road and U.S. 31 in Columbus Township.

PP-08-05: Marr Farms Major Subdivision – a request by William Marr Farms to create 4 new blocks for 1 lot and 4 blocks equaling 146.43 acres. The property is located on the northeast corner of Taylor Road and US 31 in Columbus Township.

Mr. Fisher announced that these request was automatically continued at the applicant's request.

OLD BUSINESS THAT REQUIRES COMMISSION ACTION

Ms. DeVore left the meeting for City Council meeting.

RZ-08-13: Freeman Development Rezoning – a request by Freeman Development Corporation to rezone a property of 11.8 acres from RT (Two-Family Residential) to RM (Multi Family Residential). The property is located on the southwest corner of Talley Road and Valley Forge Avenue (west side of Talley Road approximately 1350 feet north of 25th Street) in the City of Columbus.

Ms. Pope presented the staff information on this request.

Mr. Jim Lowry, Architect for Freeman Developers, represented the petitioners.

Mr. Lowry stated he had meet with Planning staff and the Engineering Department and had talked with some of the homeowners. He stated he was prepared to answer any questions regarding the petition.

Mr. Lang asked about the different types of buffers and asked for a description of the type that would be required at this location. Ms. Pope stated that the zoning ordinance requires a Type C landscape buffer between the subject property and adjacent RT zoning districts. She stated there were three types of landscape buffers. She stated Type A could be fence, a wall of some sort or plantings that would provide a 100% opaque screen, Type B is less dense and Type C is the least density of the three.

Mr. Bergman asked Mr. Lowry to explain why they were interested in this particular piece of property for multi-family development.

Mr. Lowry stated that they own Stonegate Apartments on Marr Road and they have been very successful at this location and have a waiting list. He stated that the tenants were a mix of professional and retired people. Mr. Lowry indicated that the rent was in the range of \$900 to \$1100 for each unit. He stated they wanted to serve the local needs for this type of housing at this location. Mr. Lowry stated the apartments would be two stories and would be an upscale project.

Mr. Fisher opened the meeting to the public.

Mr. Jack Stone and Mr. Cecil Workman gave a presentation regarding the concerns of the neighbors. They included drainage, decrease in property values, flooding, increased traffic, buffering and changing the character of the neighborhood. They also read into the record a petition that was signed by 398 people objecting to this rezoning.

Mr. Gaynor asked why lists of the apartments in this area were included in the neighbor's hand out.

Mr. Stone stated that was part of their survey to see how many apartments were within a three-mile radius of this site.

Ms. Betty Jean Beasher stated that she lived in Grant Park and it adjoins the requested rezoning. She expressed concerns about the multi-family units being located at this site, flooding, increase in traffic and safety for children because of the retention ponds. Ms. Beasher asked that the zoning stay the same.

Ms. Betty Tuttle expressed concern about the widening of Talley Road and with all the budget cuts in the City how could they afford to maintain the streets.

Mr. Gary Ruddle expressed concerns that the view would change from his front window without all the trees. He also stated that this multi-family zoning does not fit with the single-family dwellings that are already located there.

Mr. Richard Perry asked the petitioner how he would deal with the water at this site and the increase in traffic volume. He asked if the apartment would be stone, brick or vinyl.

Mr. Keith (inaudible) and representing All Saints Community asked if there would be tax credits given to this project.

Mr. Mike Comer expressed concern about intersection of 25th Street and Talley Road. He stated that was a busy intersection and current traffic is congested at this site already. Mr. Comer asked how they were prepared to deal with additional traffic.

Ms. Joan (inaudible) stated that at this time she could hardly exit Prairie Streams where she presently lives because of the traffic. She stated that Talley Road has no shoulder and is very narrow. She stated it was her opinion that the widening of Talley Road would be useless in

managing the traffic flow.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that Talley Road does not meet the minimum standards for a collector road in the City of Columbus. He stated one item that staff is recommending if this request is approved, is that the entire frontage of this property along Talley Road to be upgraded to meet the collector street standards. Mr. Bergman indicated that Talley Road would be wider with curb and gutter; there would also be sidewalks installed and some additional right of way obtained.

Mr. Lowry stated he had tried to contact the neighbors regarding the project and was told they were not interested in a meeting. He stated they would still be willing to meet with the property owners in the neighborhood.

Mr. Lowry stated that a new project would eliminate and relieve some of the existing water problems. He stated that the drainage plan would be submitted to the City Engineer's Office for a complete review. Mr. Lowry stated that the water management plan would comply with the appropriate regulations and no storm water problems would be created at this site.

Mr. Lowry stated that this request would not be a credit project.

Mr. Lowry stated they would be building the same type of buildings that have been constructed in other cities and the rent would be comparable to Stonegate. He stated they would agree to improve and widen Talley Road along the frontage of this project.

Mr. Lowry stated that trees do not grow in this area and there are already many trees on this property. He stated they would be willing to plant any variety of trees as requested. Mr. Lowry indicated they would be willing to work with the neighbors on a landscaping plan and add additional buffering.

Mr. Lowry stated that it was his opinion that value of this project would increase property values and the tax base of the community.

Mr. Lowry stated that the building products and the construction of these buildings are of equal or higher quality of than any other buildings in the area.

Mr. Lowry stated if this project were approved, they would be building less density in the number of apartments than would be allowed by the Zoning Ordinance.

Mr. Lowry stated that they would be willing to work with the neighbors in the northern area and install some open space, adding buffer landscaping and detention ponds. He stated that this area would be an attractive addition to the neighborhood. Mr. Lowry stated that the two-detention ponds would be a method to control water overflow and they are interconnected.

Mr. Lowry stated they would ask for approval of this request.

Ms. DeVore asked how many single family residences could be constructed at this site. Mr. Lowry stated approximately 44 single-family residences and 88 duplexes.

Mr. Haza stated he was not comfortable with the map that is on display at the meeting and the

pictures that had been presented regarding the flood.

Mr. Ruble stated that the units must be constructed above the flood level. He stated they would be required to reduce their peak run off rate. Mr. Ruble stated that the drainage area for the site is a small percentage of the drainage area for Sloan Branch, so therefore the development of this site would have very little affect on Sloan Branch.

Mr. Finke expressed concern regarding the flooding at this site.

Mr. Lang stated it was his opinion that the he would defer to on the City Engineer regarding the flooding.

Much discussion was held regarding improvements to Talley Road.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council with conditions that would be attached to the motion.

Motion: Mr. Lang made a motion to send a favorable recommendation to the City Council with the following conditions included as part of the Plan Commission recommendation (1) The west side of Talley Road along the entire frontage of the subject property shall be improved to meet the minimum standards for collector streets established by the Columbus Thoroughfare Plan, (2) A Type B buffer shall be installed along the north, south, and west property lines of the subject property, (3) The development of the subject property shall be limited to a maximum of 164 dwelling units, (4) All structures to be placed on the subject property shall have facades on all sides which are a minimum of 75 percent brick, excluding any areas devoted to doors and windows, (5) Any structures to be placed on the subject property shall be limited to a maximum of 2 stories, and (6) Any windows located on the upper floors of structures placed adjacent to the north and/or west property lines shall be located at raised positions on the wall and shall be designed to allow light to enter while discouraging views into the yards of adjacent properties. Mr. Haza seconded the motion and it carried with a vote of 7-1 with Mr. Gaynor being the nay vote.

PP-08-04: Terrace Park Major Subdivision – a request by Coronado Development Corporation to create 15 lots totaling 10.53 acres. The property is located on the southwest corner of Terrace Lake Road and Mt. Pleasant Court (1450 Terrace Lake Road) in the City of Columbus.

Ms. Stark stated that a confirmed horizontal and vertical sight distance study has been done at the intersection of Carr Hill Road and Mt. Pleasant Court and it has been submitted to the City Engineers Office.

Mr. Ruble stated that the study that was prepared by Mr. Darnall had indicated that the proposed driveway location does comply with the sight distance analysis for 40 miles per hour. Mr. Ruble stated his office had done a speed study to establish an appropriate speed limit for this section of Carr Hill Road. He stated 85% of the traffic was traveling at 39 miles per hour. In 2006 there had been another speed study conducted and 85% of the traffic was at 40 miles per hour. He stated it was his opinion that the Board of Works should approve the speed limit at 40 miles per hour on Carr Hill Road between Terrace Lake Road and Champion Drive. He stated he would request the developer install warning signs as suggested in the sight distance study.

Mr. Darnall stated he concurred with Mr. Ruble's findings.

Mr. Fisher asked him if he had anything to add to the presentation.

Mr. Darnall stated that it was their intent to post the warning signs that had been requested by the City Engineer's Office. Mr. Darnall stated that at the last meeting the Plan Commission had asked to see some defined improvements, at the turn around and a pedestrian path on Mt. Pleasant Court. He stated that Mr. Short is still working on preparing some estimates for redesigning the pond and looking at the additional costs to improve Mr. Pleasant Court. Mr. Darnall stated they did not have any future additional information to submit at this time and would request a continuance to the December 2008 meeting.

Mr. Whitted stated if this request was continued there would be no need for a public hearing.

Motion: Mr. Hatter made a motion to continue this request to the December 2008, meeting stating there would be no more continuances allowed. Mr. Gaynor seconded the motion and it carried with a vote of 7-0.

Ms. DeVore returned to the meeting.

PUDF-08-04: Columbus Municipal Airport – a request by the Columbus Board of Aviation Commissioners to rezone a property of approximately 473 acres from P (Public/Semi-public Facilities), I-1 (Light Industrial), I-2 (General Industrial) and I-3 (Heavy Industrial) to PUD (Planned Unit Development); and for approval of a Final PUD. The property generally consists of the non-aviation land of the Columbus Municipal Airport and is roughly located between Arnold Street on the north, Poshard Drive on the east, Chapa Drive on the south, and River Road on the west in the City of Columbus.

Mr. Weintraut presented the staff information on this request.

Ms. Brooke Moore with HNTB Corporation and Mr. Dana Herr, President of the Aviation Board represented the petitioners.

Ms. Moore stated that they had reviewed the technical comments in the staff report and were in agreement with all of them.

Ms. Moore gave a review of the three different proposed buffering solutions. They included 30-foot, 50 –foot and 60-foot Greenway Buffer Cross Section.

Mr. Bergman stated that on the 30-foot Greenway Buffer Section a 10-foot minimum parking setback and 50-foot building setback would be required since this is a front yard. This is adjacent to River Road on one side and Poshard on the other.

Ms. Moore stated they did not want to encourage dense landscaping in the PUD that would compromise the safety of aviation. She stated that the Zoning Ordinance states that airports may be exempt from some of the landscaping standards. Ms. Moore stated there were some landscaping required around buildings perimeters, signs and parking lots.

Ms. Moore stated that the airport is being advised to phase out agriculture. She stated this would go along with preventing a natural habitat for wildlife. Ms. Moore stated the intent is to develop this land for economic development for the community.

Ms. Moore stated there were three open spaces in the PUD. There is the approach zone for the airport, where no permanent structures are allowed, a common area for the airport park facility soccer fields, and tree cover for picnics.

Ms. Moore stated the lighting standard in the Zoning Ordinance is a maximum of 0.1-foot candles all the way around the perimeter where the airport property abuts adjacent properties.

Mr. Gaynor stated that at any airport that was surrounded by commercial property there are lights shining on white stone roofs, and there would be a need to make sure that does not happen near this open space near the approach runways.

Mr. Fisher opened the meeting to the public.

Mr. Patrick Perr expressed concern that the neighborhood had never been invited to talk about the size of the landscaping berm that was to be installed and stated the public had never been contacted or included in the discussion involving this PUD. He stated he was concerned about the safety of his children when walking to school.

Ms. Angie Miller expressed concern regarding safety and privacy and still had questions if the 60-foot berm was adequate for the surrounding neighborhoods.

Mr. Steven Abedian read into the record a letter asking for 150-foot buffer between the edge of the People Trail and the start of commercial development. He also expressed concern about a safe neighborhood and the issue of safe passage on the People Trails.

Mr. Carl Good expressed concern regarding the height of the buildings.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that there would be approximately 90 feet of average distance between a commercial building and a residence that backs up to the airport. That is based on how close the house is to the back property line.

Ms. Moore stated she believed this PUD is a good fit for the airport and would include new economic development for the City. She stated that the Board had several public meeting and all meetings were advertised to the public for their input.

Mr. Bergman stated that the question of land use has been the topic of discussion for many years regarding the airport. He stated one of the three main issues was how does this property serve as an economic development function. Mr. Bergman stated another concern was how streets and pedestrian trails would be handled and the third one was the size of the landscaping buffering that was to be installed at the site.

Mr. Bergman stated it was his opinion that the Airport and Planning Department have more knowledge about how the two departments operate through the collaborative effort it took in putting together this Planned United Development for the Airport.

Mr. Lang expressed concern about putting this much commercial activity so close to an active airport. Ms. Moore stated this was common across the country and that many private airports were doing the same thing. She stated it did not pose any threats to the aviation and the Aviation

Board would monitor each project very closely.

Mr. Gaynor stated that one of the things that are typically beneficial to airports is controlled development.

Mr. Lang asked if any of this development would hinder extending any of the existing runways. Mr. Herr stated the most active runway is the one that runs east and west and the other one is an active runway. He stated at this time there would only be one direction to go with extending the runway 523 and that would be to the east. Ms. Moore stated that the PUD would not be encroaching on that area.

Mr. Herr stated that when all the land has been developed over a period of years and when that land is gone there would be no more. He stated giving up large amounts of space for buffers is an issue. Mr. Herr stated it was the feeling of the Board that 60 feet, which is almost 90 feet between houses and commercial buildings, was a good compromise from where the discussion started.

Mr. Fisher stated it was important to keep the People Trails accessible to the public, but part of the safety of the Trails depends on restricting that accessibility. He stated consideration should be given to the number of accessible points of entry.

Mr. Fisher stated he would encourage the Airport Board to take it slow in developing this PUD. Ms. Moore stated that the Airport has proven to be a patient developer and there is a list of uses that are prescribed by the PUD Ordinance and that would be appropriate for each lot.

Ms. DeVore asked if the Airport Board would still control the land and would be leasing to the developers. Ms. Moore stated yes.

Mr. Bergman stated that with the changes made to the landscape buffer, and all of staff comments being addressed and he would recommend sending a favorable recommendation to the City Council.

Motion: Ms. DeVore made a motion to send a favorable recommendation to the City Council with all of staff's comments being addressed in the final PUD. Mr. Gaynor seconded the motion and it carried with a vote of 8-0.

NEW BUSINESS REQUIRING COMMISSION ACTION

RZ-08-16: Random Court Rezoning – a request initiated by the Columbus Plan Commission to rezone 8 lots totaling approximately 4.7 acres from RS3 (Single Family Residential) to CC (Community Commercial). The property is located on Random Court, and on the south side of Lewis Place, west of U.S. 31, in German Township.

Ms. Thayer presented the staff information on this request.

Mr. Bergman explained that this rezoning was initiated by the Plan Commission to correct a zoning map error. These properties front on Random Court and Lewis Place. They are located at the far northern portion of the City's jurisdiction. These properties were developed under the jurisdiction of Bartholomew County's roadside commercial zoning district, but were rezoned to

agriculture when the area was brought into City's jurisdiction. The area was mistakenly designated as RS-3 (Single-family Residential) by the replacement zoning map adopted in April of this year. The proposed CC (Community Commercial) zoning district allows all of the existing businesses in the area either as permitted or conditional uses.

Mr. Bergman stated that all property owners have been notified and there were no objections.

Mr. Fisher opened the meeting to the public

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council.

Motion: Mr. Haza made a motion to send this request to the City Council with a favorable recommendation. Mr. Gaynor seconded the motion and it carried with a vote of 8-0.

ANX-08-05: Joli Development – a request by Joli Development to annex to the City of Columbus a property of approximately 56 acres. The property is located on the north side of County Road 200 South 1000 feet east of Interstate 65 in Columbus Township.

Ms. Laura Thayer presented the staff information on this request.

Mr. Fisher asked if the five property owners adjacent to this subject property have been notified that their properties could be annexed as part of the current request, or at any time in the future if this property is annexed. Ms. Thayer stated yes that they were sent a letter. Ms. Thayer stated she had heard from one property owner and they are opposed to being annexed.

Mr. Haza asked if sidewalks could be installed on County Road 200 South if this was annexed as part of this action. Mr. Ruble stated he was not familiar with the right of way situation and whether or not adequate right of way existed for sidewalks.

Mr. Whitted stated that the property owners had agreed not to remonstrance against annexation. He stated those annexation waivers were required to be signed in order for them to receive water and sewer from the City. Mr. Whitted stated he had researched the issue and most court cases upheld the waivers.

Mr. Ted Darnall with Crowder & Darnall represented the petitioner, which is Joli Development.

Mr. Darnall stated this is a continuance of Wildflowers Estates Development. He stated the annexation is a continuance of Phase Three of Wildflower Estates. He stated they have no preference about the annexing of the five properties at this time.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff has made an effort for over the past two years to have an understanding of where the non-remonstrance agreements are located. He stated it has been staff's policy to make the Plan Commission members aware of the opportunity such as this. Mr. Bergman stated that annexation was coming soon to these five properties with the development of Shadow Creek Farms on the south and Wildflower Estates on the north of Country Road 200 South. He stated most City services have already been extended tax-free to these properties at this point.

Mr. Bergman stated if these people are not willing to be annexed voluntarily, it might be more appropriate to in the future to think about not only these properties, but also others that are in the area. He indicated it would be a larger annexation move on behalf of the City to include some of these other properties.

Mr. Whitted stated it would be more appropriate to annex more properties at one time in a way that would utilize the resources at the same time and put the costs over a larger area. He stated it would be a longer process to annex those that would be involuntary.

Mt. Bergman stated it would be important to figure the costs that would be involved to provide City services to these areas. He stated that Joli Development would be responsible for the cost of their annexation and the City has no capital costs, but there could be some in annexation of the other properties. Mr. Bergman stated this project could be put on the calendar for next year if time permits.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council, as proposed and to repeat this discussion at the City Council level to bring them up to date on the annexations.

Motion: Mr. Crider made a motion to send a favorable recommendation to the City Council. Mr. Haza seconded the motion and it passed with a vote of 8-0.

RZ-08-14: Hickory Investors – a request by Hickory Investors to rezone a property of 10.18 acres from RS3 (Single Family Residential) to RM (Multi Family Residential). The property is located on the west side of Interstate 65 approximately 2,000 feet south of State Road 46 in the City of Columbus

Ms. Pannell presented the staff information on this request.

Mr. Jeff Bush, owner of Hickory Investors, and George Lucas, with Landwater Group, represented the petitioner.

Mr. Lucas stated that this was an expansion of Riverstone Apartments. He stated that the access to the proposed rezoning would be accomplished as this development progresses and the lot is replated. Mr. Lucas stated that Spruce Ridge Drive will adjoin this site to the south and is under construction at this time. He stated there is a pond on site and many of the existing trees will be preserved.

Mr. Fisher opened the meeting to the public.

Ms. Yvonne Achterberg stated there were a group of Terrace Lake neighbors present and they

have concerns. She stated there is a concern about the lake that is located on the southwest corner of this property that borders Terrace Lake Realty Corporation. She expressed concerns about trespassing in these woods, and the liability for any illegal or unsafe behavior, which might occur there. Ms. Achterberg stated that they would like to have a Type A buffer installed the entire length of the Terrace Lake property. Mr. Fisher read the letter into the record.

Mr. Ralph Schumann expressed concerns about the traffic at the Fire Station located on Goeller Boulevard. He stated it was his opinion this was a dangerous intersection.

Mr. Don Munger stated he had concerns with the many different zonings that had been requested for this property.

Ms. Sharon Baldwin stated that land had been altered in many ways and stated that there were no trees left at the site where construction had already begun. She asked if the Commission could make sure that some of the existing trees in this rezoning area were not removed.

Mr. Erik Erikson stated that the expansion and placement of the apartments would change the character of the Terrace Lake neighborhood that has been there for over sixty years.

Mr. Fisher closed the public hearing.

Mr. Lucas stated that they had gone through this procedure at earlier meetings when Spruce Ridge was developed and that these issues of traffic and safety were approved. Mr. Lucas stated at that time a sight distance study had been completed at the Goeller Boulevard and was satisfactory to the City Engineer's Office.

Mr. Lucas stated the base of Terrace Lake dam acts as a place for their lake water to go when the dam fails. He stated the lake they were proposing to build would protect the property. Mr. Lucas stated there would be no houses built on the south side of the lake. He stated that space would act as a buffer to the dam.

Mr. Haza stated when driving by this development he was disappointed because the character has really has changed and it is for the worse. He stated the comments he had heard in the public hearing should be taken into consideration.

Much discussion was held on the different zonings that had been proposed at this site.

The Plan Commission discussed the three different types of buffers that could be installed. Ms. Pannell stated if the rezoning were approved, a Buffer Yard Type B would be required along the south property line at the time of development. This is a densely planted buffer, which need not be opaque for its entire length. This buffer has a 15-foot setback in addition to the minimum setback otherwise required. Ms. Pannell stated that a Type A buffer is intended to be an opaque screen buffer. She stated the Type A Buffer has a twenty-five foot setback in addition to what is required.

Mr. Bergman stated it was his understanding that the neighbors would prefer a fence. Ms. Archerberg stated that would be correct.

Mr. Fisher reopened the public hearing.

Mr. Achterberg asked about the density that was being proposed. Mr. Fisher stated it was 175 units. She expressed concern about the additional traffic on State Road 46 West.

Mr. Fisher closed the public meeting.

Mr. Ruble stated that, from a safety aspect, the intersection and sight distance analysis did meet the requirements for this location. He stated that State Road 46 West and Goeller Boulevard have adequate capacities to absorb this type of traffic.

Mr. Ruble stated that most traffic signals are based on traffic volumes. He stated as this site develops we are going to see greater volumes at the intersections. It would be conceivable at some point that we would require a signal at the 20Mile House Road/ State Road 46 West intersection.

Mr. Ruble stated that Spruce Ridge Drive and Colorado Drive are local streets and would be adequate to handle the volume of traffic that this rezoning would create.

Mr. Bergman stated it was his opinion that the Plan Commission members were aware that the need for multi-family housing in Columbus has increased. He stated that in visiting, the site there was a drastic difference between now and when the construction began. Mr. Bergman stated that when it comes to a building site there is a need to make changes in the land, but wondered if there was a missed opportunity to work with the terrain that was there. He stated that perhaps the Plan Commission members should set aside some rules for some more preservation with this request. Mr. Bergman stated that staff would support a Type A buffer with a fence as the neighbors have request. He stated removal of existing landscape would be required to install that buffer.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to City Council for rezoning and for the Plan Commission to have a discussion on the open space issue.

Mr. Lang stated to him it would be appropriate to address the comments that have been made about transition. He stated if you move north to south, it would seem to start with commercial close to State Road 46 West, then to the multi-family and then leave the existing single-family zoning as it is.

Mr. Haza asked how large an open space should be.

Mr. Bergman stated maybe 10% of the wooded area should be preserved as a permanent open space or some area that could be there for the enjoyment of the residences at that location.

Mr. Ruble asked the petitioner what kind of open space is proposed for the current development and for this new one.

Mr. Lucas stated that they have to adhere to and follow the Americans with Disabilities Act. He stated that they must provide accessibility to the complex for everyone. Mr. Lucas stated you could not lower the ground without taking the trees out to get the right slopes. Mr. Lucas stated they have preserved trees in the northeast corner of the site. He stated they would have the same problems with this site if approved.

Mr. Ruble stated that the first time they came in with Spruce Ridge Drive that they did not meet ADA requirements. He stated this road followed the contour of the land and this did not meet ADA requirements.

Mr. Gaynor stated with all the different kinds of slopes that must be dealt with in construction and all the accessibility issues that they must deal with; maybe this is not the correct site for apartments. He stated if the earth located there is not appropriate, then perhaps there is a need to find another site.

Mr. Bush stated that the bank had been cut out but they left the back 20-foot berm near Interstate 65 for a sound barrier to help with the noise from the Interstate. He stated there is a clubhouse, swimming pool, retention pond and a wooded area that is located on the site. Mr. Bush stated they tried to preserve as many trees of possible. He stated this project is different from anything that exists in Columbus.

Mr. Bush stated that they were extending Spruce Ridge Drive down to the southern part of the property, but the neighbors do not want that. He stated the only reason he was proposing this access was so the property to the south was not land locked.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council.

Motion: Ms. DeVore made a motion to deny and send an unfavorable recommendation to the City Council. She stated that this is not the proper location for this type of development. Ms. DeVore stated that the Terrace Lake area has been there for a number of years and this encroaches on their ideal for their living area. She stated she was concerned about the removal of all the trees and disappointed in the present development. Mr. Haza seconded the motion and it failed with a vote of 3-5 with Mr. Crider, Mr. Ruble, Mr. Fisher, Mr. Hatter, and Mr. Gaynor voting nay.

Motion: Mr. Crider made a motion to send a favorable recommendation to the City Council. Mr. Ruble seconded the motion and it failed with a vote of 5-3 with Ms. DeVore, Mr. Lang and Mr. Haza voting nay.

This request will automatically be continued to the December 2008 meeting.

Mr. Whitted reminded staff that members who were not present should read the minutes from this meeting before they vote at the December 2008 meeting.

DISCUSSION ITEMS

Mr. Bergman gave an update on information regarding the June 2008 flood.

DIRECTOR'S REPORT

Mr. Bergman stated that due to budget cuts proposed in the City's budget there will be no funding for the current Department part time employee and her duties will fall to existing staff. He stated there would be no funding for next year for an intern position, so therefore there will be fewer special projects proposed in 2009. He stated that existing staff would receive no raises and in

addition, there is a 15% reduction in our operating budget. Mr. Bergman stated that staff would have less capacity to take on new projects in 2009.

LIASION REPORT

ADJOURNMENT: 9:15 p.m.

David L. Fisher, President

Steven T. Ruble, Secretary